

La Cuna de Aztlan Sacred Sites Protection Circle

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California Energy Commission

**DOCKETED
09-AFC-7C**

TN # 69964

MAR. 20 2013

Raoul Renaud, Hearing Advisor
CC: Christine Stora, Compliance Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

RE: Opposition to the Petition to amend the proposed Palen Solar Electric Generating System

Dear Raoul Renaud,

I hereby state the following comments concerning our opposition against the proposed Palen Electric Generating System:

My name is Alfredo Acosta Figueroa, and I am one of the Chemehuevi Tribal Monitors of the sacred sites and I am the Elder/Historian/Coordinator of La Cuna de Aztlán Sacred Sites Protection Circle and a member of Californians for Renewable Energy (CARE) .

In 2008, La Cuna de Aztlán Sacred Sites Protection Circle received a Memorandum of Understanding from the Bureau of Land Management to be guardians of the sacred sites. The MOU specifies the formation of partnership of cultural resources and protection of the world famous Blythe Giant Intaglios, as well as over 300 geoglyphs (intaglio), thousands of

petroglyphs, hundreds of pictographs, surrounding mountain images and several hundred sacred sites that are located along the Colorado River extending from Needles, California down to Yuma, Arizona.

In 2012, we were happy to hear the news that the Solar Millennium Company filed bankruptcy on its projects which were proposed to be constructed along the I-10 corridor in Eastern Riverside County. However we are now deeply perturbed, that once again these projects have resurfaced and are threatening sacred sites and pristine desert environment.

The I-10 highway in Eastern Riverside County parallels some of the most sacred trails that connect many of the sacred sites that are located within the area. These trails led from the Colorado River, Mule Mountains to Eagle Mountain range (At the Joshua Tree National Park) and from the Creators Throne on Black Rock Peak (10-miles west of Blythe, CA) that leads to Corn Springs (Tula) in the Chuckwalla Mountains.

In the Mojave language Eagle Mountain is called "*Amat-Avi-Aspa*" meaning "*Place of Eagle Mountain*." The Chemehuevi and Cahuilla also have their names for Eagle Mountain.

Our Chemehuevi and other indigenous elders have always regarded Eagle Mountain as a very sacred place. When the Spaniards came to this area they called it "*La Sierra de la Aguila*," and when the Anglos came, the name changed to "*Eagle Mountain*."

In the Mexica Codex, the name Eagle Mountain refers to Cuauhtémoc which means "*Cuauhtli*" (Eagle) and "*Temoc*" (Descends), altogether, Cuauhtémoc means "*Descending Eagle*."

The Eagle is the "*Nahualli*" (Animal representation) of the Sun, when the Sun descends on Eagle Mountain (On the "V" of Dragon Wash) on June 21st (summer solstice) as seen from the Ripley Intaglio on the Colorado River.

According to the Mexica Codex, "*Historia de los Mexicanos por sus pinturas*," Cuauhtémoc is one of the 4-posts (corners) created to form the roads (communication) between the newly formed Earth (Mother) and Cosmos (Father). The codex states that "*Seeing the falling of the sky on earth, 4-men were created to get help to be able to enter and rise up the sky. One was called 'Cuauhtémoc' (Eagle Mountain), 'Itzcoatl' (Old Women Mountain), 'Itzmalli' (Whipple Mountain) and 'Tenexuchitl' (Ripley Intaglio)*." These 4-corners form the base of the pyramid Tamoanchan which peak is centered on top of Granite Peak as seen from Blythe, California.

Other mountain ranges in the area have also kept their native names, such as the Chuckawalla Mountain Range located south of Eagle Mountain (Near Desert Center, California). Chuckawalla means "*Cuetzpalin*" in Nahuatl and in Spanish it means "*Lagarto*" or "*Lagatijo*" and in English it means lizard. *Cuetzpalin* is the fourth day on the 20-day Aztec Sun Stone Calendar. There is a small ridge outcropping in Desert Center which represents the lizard Chuckawalla (Hence the name of the mountains) but it is called "*Alligator Ridge*."

Throughout the years the Chemehuevi and other native tribes have used the Chuckawalla Mountain as a source of stone for their utensils such as the "*molcajete*" and "*metates*" (Mortar grinding stones).

According to Francis J. and Patricia H. Johnston's highly recognized research of the *University of California Berkeley, Archaeological Survey No. 37 dated April 1, 1957* gives excellent reference and general description of the 13th Monuments and its sacred trails that led all the way from the Blythe Giant Intaglios to the Coachella Valley. (See Attachments)

Along with the sacredness of the area, the area is home to the Poorwill Bird which uses the washes and Chuckawalla Mountains to hibernate during the winter. The Poorwill bird is regarded as sacred for the Hopi and other tribes. Dr. Edmund C. Jaeger, Desert Naturalist researched the area and published several books and articles about the Poorwill bird.

For these reasons, and the following Indigenous, State, Federal and United Nation laws we are opposing to the Palen amendment because of their gross violation to the following:

- **Inter-Tribal Council of Arizona: Resolution 0212, opposing the Department of Interior Fast-Track Policies of Renewable Energy Projects on Ancestral Homelands, June 29, 2012.** The Resolution specifies that whereas over 40 proposed solar and wind renewable energy projects are to be undertaken within a 50-mile radius of the Colorado River Indian Tribes Reservation which puts tens of thousands of acres of land within the ancestral territory homelands of CRIT as well as other Yuman tribes, at further risk of destruction.
- **National Congress of American Indians: Resolution #LNK-12-036, opposing the Department of Interior Fast-Track Policies of Renewable Energy Projects on Ancestral Homelands, June 17, 2012.**

- **Colorado River Indian Tribes Resolution and Letter to President Barack Obama: opposing the construction of Solar Power Projects within 50-miles from the CRIT Reservation boundary of February 27, 2012.**
- **United Nations Declaration on the Right of Indigenous People Resolution of 2007: was adapted by the General Assembly during the 107th plenary meeting and was signed by President Barack Obama on December 15, 2010.**
- **Native American Sacred Places, March 6, 2003(S.B. 18)**
- **Native American Sacred Lands Act, June 11, 2003 (H.R. 2419)**
- **The Sacred Land Protection Act, July 18, 2002 (H.R. 5155)**
- **The Native American Sacred Sites Protection Act, February 22, 2002 (S.B. 1828)**
- **Accommodations of Sacred Sites and Federal Land, Signed by President Bill Clinton on May 24, 1996 (Executive Order 13007)**
- **Native American Graves Protection & Repatriation Act of 1990**
- **Archeological Resources Protection Act of 1979**
- **American Indian Religious Freedom Act, August 11, 1978**
- **The Civil Right Act of 1968**
- **Antiquities Act of 1906**

The emission control laws in California are currently being met and cities are now proposing to include rooftop solar panels in each new construction within the many cities. Finally, the Federal Reserve Chairman Ben Bernanke said on February 27, 2013 that he wants to end investor perceptions that the largest U.S. financial institutions will be given taxpayer bailouts to prevent a collapse. “We need to stop too-big-to-fail.”

Irreplaceable damage within this area has already been done by the current solar power projects. Supporting our comments is Docket # 09-AFC-8 Cultural Resources testimony of Elizabeth A. Bagwell & Beverly E. Bastian supporting research stimulates that:

"Staff finds that the GSEP construction impacts, when combined with impacts from past, present, and reasonably foreseeable projects, contribute in a small but significant way to the cumulatively considerable adverse impacts for cultural resources at both local I-10 Corridor and regional levels. This analysis estimates that more than 800 sites within the I-10 Corridor, and 17,000 sites within the Southern California Desert Region, will potentially be destroyed. Mitigation can reduce the impact of this destruction, but not to a less-than-significant level."

Sincerely,



Alfredo Acosta Figueroa

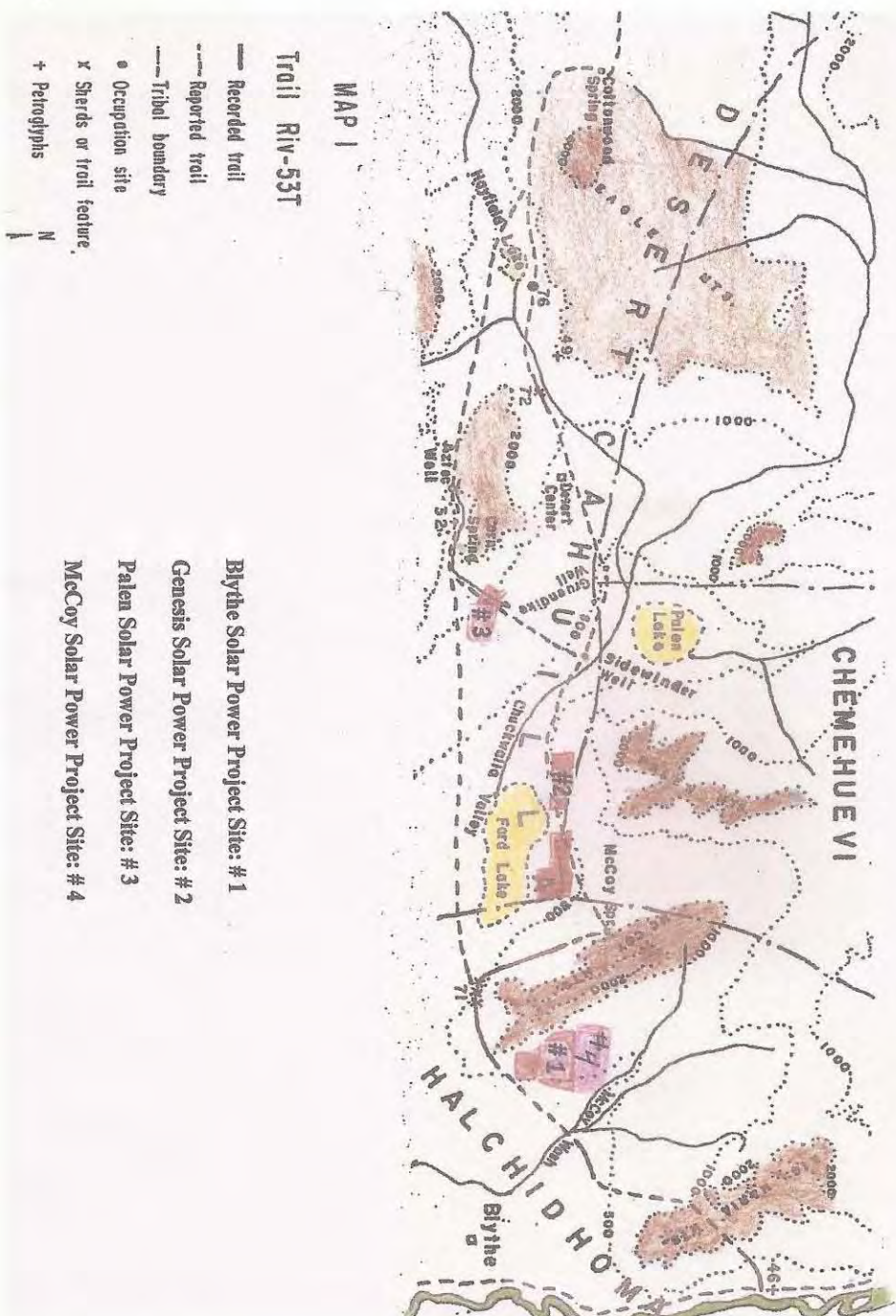
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(Please see attachments below)





Chemehuevi Indian Tribe

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Kevin Hunt
Project Manager
SWCA Environmental Consultants
625 Fair Oaks Avenue, Suite 190
South Pasadena, CA 91030

Dear Mr. Hunt,

The Chemehuevi have a long and well documented history in the desert areas of southern California, southern Nevada, and northern and western Arizona. In the late 1800's the vast majority of this area was declared public domain by the US Federal Government and the various Tribes that had traditionally used this land lost the ability to freely use it as their ancestors once had.

The Chemehuevi were just one of the nations of people whose ancestors freely used the area in question. At one time we would have called the area between the Tehachapi Mountains to the Colorado River and from Death Valley to nearly Yuma, AZ as our ancestral territory. In addition, we would claim from Ash Meadows and the Pahrump area through Las Vegas and into the Muddy and Virgin Rivers area and on into the Valley of Fire.

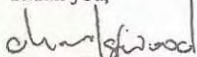
The particular areas that you speak of are of the utmost importance to the Chemehuevi, Uto-Aztecan and Mexica/Aztecan peoples. All along the length of the Areas of Potential Effects are found the "Blythe Giant Intaglios". While the best known of the intaglios might be miles away, there are in fact approximately 300 intaglios in the area ranging from 150 to 10,000 years old; the vast majority remain unmarked and unprotected.

The Chemehuevi Indian Tribe supports the Memorandum of Understanding between the Sacred Sites Protection Circle, the Southern Low Desert Resource Conservation and Development Council and the Bureau of Land Management for the protection and preservation of the known, identified intaglios on the lower Colorado River and any future intaglios that may be discovered.

Intaglios are alignments of rocks with cleared areas in between making geoglyphs (pictures) on the ground. We are concerned because some of these may be square feet in size; while others may be hundreds of square feet in size and are often and easily over-looked from ground level. We would emphasize the need for an aerial survey as well as a ground-level survey of the area before proceeding with the project.

While we no longer have intimate daily contact with the specific areas in question, we would like to request notification if substantial artifacts, intaglios or graves should be found.

Thank you,


Charles F. Wood
Chairman

Cc:

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Southern Low Desert Resource Conservation & Development Council
Thomas Burgin, President
53990 Enterprise Way, 6B
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Bureau of Land Management, Yuma Field Office
Rebecca Heick, Field Manager
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